

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR
SYSTEMS PRODUCTS LIABILITY
LITIGATION

Master File No. 2:12-MD-02327
MDL 2327

ETHICON WAVE 5 CASES LISTED IN
EXHIBIT A

JOSEPH R. GOODWIN U.S. DISTRICT
JUDGE

**NOTICE OF ADOPTION OF PRIOR DAUBERT MOTION TO EXCLUDE
PEGGY PENCE, PH.D., FOR WAVE 5**

Come now Defendants Ethicon, Inc.; Ethicon LLC; and Johnson & Johnson, and hereby adopt and incorporate by reference the Wave 3 *Daubert* motion to exclude the opinions of Peggy Pence, Ph.D., and memorandum in support for Ethicon Wave 5, Dkt. 2759, 2760. Defendants respectfully request that the Court exclude Dr. Pence's testimony, for the reasons expressed in the Wave 3 briefing. This notice applies to the Wave 5 cases identified in Exhibit A attached hereto.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ Christy D. Jones

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